

FILED IN OPEN COURT

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

DATE: 6/30/05  
TIME: 4:24 pm  
INITIALS: JK

NACCO MATERIALS HANDLING  
GROUP, INC., d/b/a YALE MATERIALS  
HANDLING CORPORATION,

Plaintiff,

v.

No. 03-2561- B A

TOYOTA MATERIALS HANDLING  
USA, INC., and THE LILLY COMPANY,

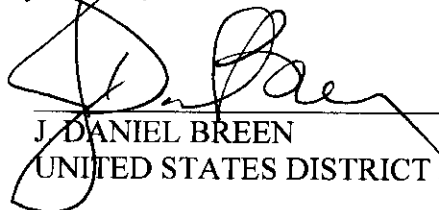
Defendants.

**ORDER**

On June 1, 2005, a hearing was held on the Application for Preliminary Injunction filed by Defendant The Lilly Company's ("Lilly") seeking to enjoin Plaintiff NACCO Materials Handling Corporation ("NMHG") from non-renewing its Dealer Marketing Agreements. This matter is set for trial August 15, 2005.

Given the volume of evidence introduced, most of which is by deposition testimony, the Court must take this matter under advisement. The status quo shall be maintained as to all matters between the parties pursuant to the contract between the parties as it existed prior to July 2, 2005, the Court's Order of November 23, 2004 and otherwise, pending the Court's ruling on the matters presented at the June 1, 2005 hearing.

It is SO ORDERED this 30<sup>th</sup> day of June, 2005.

  
J. DANIEL BREEN  
UNITED STATES DISTRICT JUDGE



## Notice of Distribution

This notice confirms a copy of the document docketed as number 144 in case 2:03-CV-02561 was distributed by fax, mail, or direct printing on July 6, 2005 to the parties listed.

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Honorable J. Breen  
US DISTRICT COURT